

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Ertugrul Berkcan, et al.	:	
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		:	Group No.: 2829
Serial No.:	10/026,151	:	
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		:	Examiner: Karlsen, Ernest F.
Filed:	December 19, 2001	:	
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For:	RESIDENTIAL ELECTRICITY METER	:	

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Office Action mailed November 21, 2006, has been carefully reviewed and the following remarks have been made in consequence thereof. In response to the election requirement set forth in the Office Action, Applicants elect for prosecution in this application all claims of Group I as identified in the Office Action. Claims 1-3, 6, 7, 9-13, 16, 17, 19 and 20 are in the elected claim group.

The restriction requirement is traversed because the inventions set out by the claims in Groups I and II clearly are related. It is believed that a thorough search and examination of either claim group would be relevant to the examination of the other group. In addition,

requirements for restriction are not mandatory under 35 U.S.C. Accordingly, reconsideration of the restriction requirement is requested.

Regarding the Election of Species requirement, the Office Action appears to identify two species, and an election of species was imposed. More specifically, it appears a restriction to one of Species I, drawn to the current sensor of Figure 1, and Species II, drawn to the current sensor of Figure 3 was imposed.

In response, Applicants elect, with traverse, to prosecute the invention of Species I as illustrated in Figure 1. Claims 1-3, 6, 7, 10-13, 16, 17, and 20 are believed to read on the elected Species I.

The election is made with traverse because the Office Action nowhere identifies any difference between any of the Species, and nowhere explains how the identified Species are regarded to be patentably distinct. Rather, the Office Action simply states that the species are independent or distinct because they are mutually exclusive. Applicants are aware of no authority, however, and the Office Action cites none, that allow an election requirement to be made on such a basis. The requirement for election is therefor traversed because the Office Action fails to set forth any basis for the election requirement (i.e., any explanation for why the species are regarded as independent inventions, why one of the species would require a separate and independent search or, how an unreasonable burden is otherwise placed on the Examiner).

Moreover, requirements for election are not mandatory under 35 U.S.C. 121, and Applicants accordingly request reconsideration and withdrawal of the election requirement. To the extent that the election requirement is maintained, however, Applicants request that a proper basis for the election requirement be established on the record. Applicants also

request another full and fair opportunity for Applicants to respond to the requirement if and when an adequate basis therefor is set forth.

The pending claims are believed to define patentable subject matter. Favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Shipley', is written over a horizontal line.

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